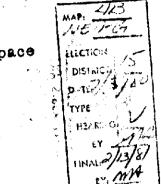
## PETITION FOR ZONING VARIANCE FROM AREA AND HEIGHT REGULATIONS

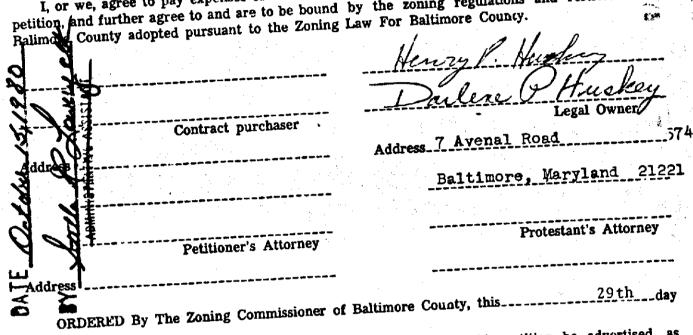
TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY: I, or we, \_\_\_\_Darlene P. Huskey \_\_\_legal owners of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section 1802.3.C.1 to permit a rear yard setback of 18 feet in lieu of 30 feet.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (indicate hardship or practical difficulty)

- 1. Additional property proved unobtainable.
- 2. Due to the expansion of family unit more living space is required.



Froperty is to be posted and advertised as prescribed by Zoning Regulations. I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of



of July 197 80 that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation through out Baltimore County, that property be posted, and that the public hearing be had before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 23rd day of September 107 80 at 9:450'clock

\_\_A\_M.

BALTIMORE COUNTY
OFFICE OF PLANNING & ZONING
TOWSON, MARYLAND 21204 NORMAN E. GERBER

September 16, 1980

Mr. William Hammond, Zoning Commissioner Zoning Advisory Committee Office of Planning and Zoning Baltimore County Office Building Towson, Maryland 21204

Dear Mr. Hammond:

DIRECTOR

Comments on Item #23, Zoning Advisory Committee Meeting, July 29, 1980, are as follows:

Property Owner: Henry P and Darlene P. Huskey Location: W/S Avenal Road 260' S. of Terrace Road Acres: 50 X 100 District: 15th

This office has reviewed the subject petition and offers the following comments. These comments are not intended to indicate the appropriateness of the zoning in question, but are to assure that all parties are made aware of plans or problems with regard to development plans that may have a bearing on this petition.

This plan has been reviewed and there are no site-planning factors requiring comment.

Very truly yours,

John Zuluhlers Planner III Current Planning & Development BALTIMORE COUNTY

ZONING PLANS

ADVISORY COMMITTEE



PETITION AND SITE PLAN

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

CUNTY OFFICE BUDG. Ill W. Chesapeake Ave. Towson, Maryland 2:20 September 11, 1980

Mr. & Mrs. Henry P. Huskey 7 Avenal Road Nicholas B. Commodari Faltimore, Maryland 21221

Department of Traffic Engineering

Tire Provention

Realth Department

Project Planning

building Sajareme

there of Education Contro Administration

industrial

State Scale Commission

RE: Item No. 23 Petitioner - Henry P. Huskey et ux Variance Petition

Dear Mr. & Mrs. Huskey:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. The Director of Planning may file a written report with the Zonday Commissioner with recommendations as to the suitability of the requested zoning.

Enclosed are all comments submitted to this office from the committee members at this time. The remaining members felt that no comment was warranted. This petition was accepted for filing on the date of the enclosed certificate and a hearing scheduled accord-

Very truly yours.

Zoning Plans Advisory Committee

Among the same of the same of the same of the same

Enclosures

BALTIMORE COUNTY DEPARTMENT OF PUBLIC WORKS TOWSON, MARYLAND 21204

September 10, 1980

Mr. William E. Hammond Zoning Commissioner County Office Building Towson, Maryland 21204

> Re: Item #23 (1980-1981) Property Owner: Henry P. & Parlene P. Huskey W/S Avenal Rd. 260' S. of Terraco Rd. Acres: 50 x 100 District: 15th

Dear Mr. Hammond:

The following comments are furnished in regard to the plat submitted to this office for review by the Zoning Advisory Committee in connection with the subject item. General:

This property comprises Lot 22, Block C, "Eastern Terrace", recorded C.W.B., Jr. 12, Polio 45 (not Plat No. 12 as indicated on the submitted plan).

Baltimore County highway and utility improvements are not directly involved.

Development of this property through stripping, grading and stabilization could result in a sediment pollution problem, damaging private and public holdings downstream of the property. A grading permit is, therefore, necessary for all grading, including the stripping of top soil.

The Petitioner must provide necessary drainage facilities (temporary or permanent) to prevent creating any nuisances or damages to adjacent properties, especially by the concentration of surface waters. Correction of any problem which may result, due to improper grading or improper installation of drainage facilities would be the full responsibility of the Petitioner.

This office has no further comment in regard to the plan submitted for Zoning Advisory Committee review in connection with this Item 23 (1980-1981).

Very truly yours,

ELLSWORTH N. DIVER, P.E. Chief, Bureau of Engineering

END: EAM: FWR: ss cc: J. Wimbley

I-SW Key Sheet 4 NE 25 Pos. Sheet NE 1 G Topo

battimore county department of traffic engineering TOWSON, MARYLAND 21204 (301) 494-3550

STEPHEN E. COLLINS

August 20, 1980

Mr. William Hammond Zoning Committee ...er County Office Puilding Towson, Maryland 21204

-- Dear-Mr. Hammond:

MSF/hmd

1/03

The Department of Traffic Engineering has no comments on Items 19, 20, 21, 22, 23, and 26 of the Zoning Advisory Committee Meeting of July 29, 1980.

> Very truly yours, Michael S. Flanigan Engineer Associate II

825-7310

BALTIMORE COUNTY FIRE DEPARTMENT FIRE DEPARTMENT TOWSON, MARYLAND 21204

PAUL H. REINCKE CHIEF

September 3, 1980

Mr. William Hammond Zoning Commissioner Office of Flanning and Zoning Baltimore County Office Building Towson, Maryland 21204

Attention: Nick Commodari, Chairman Zoning Plans Advisory Committee

Re: Property Owner: Henry P. Darlene P. Huskey

W/S Avenal Road 260' S. of Terrace Road

Zoning Agenda: Meeting of 7/29/80

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below marked with an "X", are applicable and required to be corrected or incorporated into the final plans for the property.

( ) 1. Fire hydrants for the referenced property are required and shall be feet along an approved road in located at intervals or feet along an approved road accordance with Baltimore County Standards, as published by the

Department of Public Works.

( ) 2. A second means of vehicle access is required for the site.

( ) 3. The vehicle dead end condition shown at

EXCEEDS the maximum allowed by the Fire Department.

( ) 4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operations.

(XX) 5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1976 Edition prior to occupancy.

( ) 6. Site plans are approved as drawn.

( ) 7. The Fire Prevention Bureau has no comments, at this time.

REVIEWER List 1 Sell 16 11, 9-4-10 Noted and Approved: Leonge M Weigond FIRE PREVENTION BUREAU SPECIAL INSPECTION DIVISION

DEPARTMENT OF PERMITS & LICENSES
TOWSON, MARYLAND 21204
494-3610

TED ZALEJKI, JA.

August 13, 1980.

Mr. William E. Harmond, Zoning Commissioner Office of Planning and Zoning County Office Building Towson, Maryland 21204

Dear Mr. Hammond:

Comments on Item #23 Zoning Edvisory Committee Meeting, July 29, 1980

Property Owner: Honry P. & Darlene P. Huskey
Location: W/S Avenal Road 200° S of Terrace Road Existing Zoning: D.R. 5.5

Proposed Zoning: Variance to permit a rear yard setback of 18° ft in lieu of the required 30 ft.

District:

The items cnecked below are applicable:

X A. All structures shall conform to the Baltimore County Building Code 1978,

X B. A building/ \_\_\_\_\_permit shall be required before beginning construction. Cc. Residential: Three sets of construction drawings / required to file a permit

application. Architect/Engineer seal is/is not required. D. Commercial: Three sets of construction drawings with a Maryland Registered Architect or Engineer shall be required to file a permit application.

X E. In wood frame construction an exterior wall erected within 6' O of an adjacent lot line small be of one hour fire resistive construction, no openings permitted within 3'-0 of lot line. A minimum 8" masonry firevall is required if construction

F. Requested variance conflicts with the Baltimore County Building Code,

Section/s \_\_\_\_\_. G. A change of occupancy shall be applied for, along with an alteration permit application, and three required set s of drawings indicating how the structure will neet the Code requirements for the proposed change. Drawings may require

H. Before this office can comment on the above structure, please have the owner, thru the services of a Registered in Maryland Architect or Engineer certify to this

office, that, the structure for which a proposed charge in use is purposed can comply with the height/area requirements of Table 305 and the required construction classification of Table 214. X I. comments SPECIAL NOTE: This structure and proposed addition appear to be in an area subject to elevation 10 tidal innudation. See the attached Code

Section 319.0 for requirements. NOTE: These comments reflect only on the information provided by the drawing submitted to the office of Planning and Zoning and are not intended to be construed as the full extent of any permit.

If desired additional information may be obtained by visiting Room #122 (Plans Review) at 111 Vest Checapeake Ave., Towson.

Charles E. Eurnham, Chies

Pursuant to the advertisement, posting of property, and a public hearing on the Petition and it appearing that by reason of the following finding of facts that strict compliance with the Baltimore County Zoning Regulations would result in practical difficulty and unreasonable hardship upon the Petitioner(\*, tie Variance(s) should be had; and it further appears that the granting of the Variance(s) requested will not adversely affect the health, safety, and general welfare of the community; and, therefore,

IT IS ORDERED by the Zoning Commissioner of Baltimore County, this \_\_\_\_\_\_ day of October , 1980, that the herein Petition for Variance(s) to permit a rear yard setback of eighteen feet in lieu of the required thirty feet, for the expressed purpose of constructing additional habital space to the existing dwelling, should be and the same is GRANTED, from and after the date of this Order, subject, however, to the following restrictions:

1. The dwelling, including addition thereto, shall remain a single-family unit.

Approval of a site plan by the Department of Public Works and the Office of Planning and Zoning.

> Zoning Commissioner of Baltimore County

Dear Mr. Hammond:

District:

No. Acres:

Robert Y. Dubel, Superintendent

Mr. William E. Hammond

Towson, Maryland 21204

Baltimore County Office Building

RE: Item No: 19, 20 21, 22, 23, 24, 25, 26

1111 K st Chesapeake Avenue

Property Owner:

Present Zoning:

Proposed Zoning:

Location:

Zoning Commissioner

All of the above have no bearing on student population.

BALTIMORE COUNTY PUBLIC SCHOOLS

Department of Planning

. Nick Petrovich, Assistant

Z.A.C. Meeting of: July 29, 1980

Towson, Maryland - 21204

Date: July 28, 1980

SPECIAL NOTE FOR CONSTRUCTION IN TIDAL OR RIVERINE AREAS

BILL 199 - 79 BALTIMORE COUNTY BUILDING CODE 1978

EFFECTIVE MARCH 1, 1980

A new section added to read as follows:

Construction in Areas Subject to Flooding.

Areas Subject to Inundation by Tidewaters.

1. Where buildings or additions are built in areas subject to inuidation by tidewaters, the lowest floor (including basement) shall not be lower than one (1) foot above the 100 year flood elevation, as established by the U.S. Army Corps of Ingineers or the federal Flood Insurance Study, whichever is the more restrictive.

Such buildings or additions shall be designed and adequately anchored to prevent flotation, collapse, or lateral movement of the structure, be constructed with materials resistant to flood damage.

2. Crawl spaces under buildings constructed in the tidal flood plain as letermined by the U.S. Army Corps of Engineers or the federal Flood Insurance Study, whichever is the more restrictive, shall be constructed so that water will pass through without resulting debris causing damage to the improvements of any property.

3. New or replacement utility systems, including but not limited to water supply, sanitary scwage, electric, gas and oil, must be designed to minimize or eliminate infiltration of flood waters into the systems and discharges from the systems into flood waters, and require onsite waste disposal systems to be located so as to avoid impairment of them or contamination from them during flooding.

319.2 Riverine areas subject to inumination by surface waters within the 100 year flood plain.

1. No structure or additions shall be allowed within the 100 year flood plain of any watercourse. The 100 year flood plain shall be based upon the federal Flood Insurance Study or the Department of Public Works, whichever is the more restrictive; this determination shall include planned future development of the watershed area.

2. Reconstruction of residential dwelling units shall be governed by Sections 106.0 or 123.0 as applicable, except that rebuilding or residential dwellings units damaged in excess of 50 percent of physical value shall also be governed by the provisions of subsection 319.1 of this section.

3. Reconstruction of their than residential buildings or structures in the riverine areas shall be made to conform to 319.1 when damage exceeds 50 percent of physical value.

Charles & Sumbon

RE: PETITION FOR VARIANCE W/S of Avenal Rd., 260' S of Termee Rd., 15th District BEFORE THE ZONING COMMISSIONER

OF BALTIMORE COUNTY

Case No. 81-59-A HENRY P. HUSKEY, et ux,

:::::::

## ORDER TO ENTER APPEARANCE

Mr. Commissioner:

Pursuant to the authority contained in Section 524.1 of the Baltimore County Charter, I hereby enter my appearance in this proceeding. You are requested to notify me of any hearing date or dates which may be now or hereafter designated therefore, and of the passage of any preliminary or final Order in connection therewith.

Lette Max Zimmerman Peter Max Zimmerman Deputy People's Counsel

John W. Hessian, III People's Counsel for Baltimore County Rm. 223, Court House Towson, Maryland 21204 494-2188

I HEREBY CERTIFY that on this 3rd day of September, 1980, a copy of the aforegoing Order was mailed to Mr. and Mrs. Henry P. Huskey, 7 Avenal Road, Baltimore, Maryland 21221, Petitioners.

September 10, 1980

Mr. William R. Hammond, Zoning Commissioner Office of Planning and Zoning County Office Building Towaon, Maryland 21204

Dear Mr. Hammond:

Corments on Item #23. Zoning Advisory Committee meeting of July 29, 1980, are as follows:

> Property Owners Locations Existing Zoning: Proposed Zonings

Henry 2 & Darlens P. Huskey W/S Avenal Rd 260 ft. S. of Terrace Rd. Variance to permit a rear yard setback

of 18 ft. in lieu of the required 30 ft. 50 X 100 15th District:

Metropolitan water and sever exist, therefore, the proposed addition should not present any health hazards.

IJF/mw/JEP

Acrest 15th District:

Comments on Item #23, Zoning Advisory Committee meeting of

50 X 100

Metropolitan water and sever exist, therefore, the proposed addition should not present any health hazards.

Mr. William R. Hammond, Zoning Commissioner

Office of Planning and Zoning

July 29, 1980, are as follows:

Locations ...

Property Owners

Existing Zonings

Proposed Tonings

County Office Building

Toyeon, Maryland 31204

Dear Mr. Hammonds

September 10, 1980

Henry & & Darlone P. Ruskey

W/S Avence Bd 260 ft. S. of Terrace Bd.

Variance to permit a rear yard setback

of 18 ft. in lieu of the required 30 ft.

IJF/mw/JEP

September 10, 1980

Er. Villiam R. Hassond, Zoning Commissioner Office of Planning and Zoning County Office Building Town m. Maryland 21204

Dear Mr. Ramsonde

Comments on Item #23, Zoning Advisory Committee meeting of July 29, 1900, are as follows:

Property Owners Locations

Henry 2 & Darlene P. Huskey V/S Avenal R4 260 ft. S. of Terrece R4.

Proposed Lonings

Existing Conings

D.R. 5.5 Variance to permit a year yard setback of 18 ft. in lieu of the required 30 ft.

District: Metropolitum vater and sever exist, forrefore, the propose addition should not present any health hazards.

LJF/mm/JEP

Mr. Villiam R. Hammond, Zoning Commissioner Office of Planning and Zoning County Office Building Towson, Maryland 21204

Dear Mr. Hammonds

Comments on Item #23, Soning Advisory Committee meeting of July 29, 1980, are as follows:

> Property Owners Locations Existing Zonings Proposed Zonings

Henry E & Darlene P. Huskey W/S Avenal Rd 260 ft. S. of Terrace Rd. Variance to permit a rear yard setback of 18 ft. in lieu of the required 30 ft. 50 X 100

and the state of t

15th

September 10, 1980

BUREAU OF ENVIRONMENTAL SERVICES

Districts

Metropolitan water and sewer exist, therefore, the proposed addition should not present any health hexards.

DONALD I ROOP, M.D., M.P.H. DEPUTY STATE & COUNTY HEALTH OFFICER

September 10, 1980

Mr. William R. Hammond, Zoning Commissioner Office of Planning and Zoning County Office Building Towson, Maryland 21204

Dear Mr. Hammond:

Comments on Item #23, Zoning Advisory Committee meeting of July 29, 1980, are as follows:

> Property Owner: Location: Existing Zoning:

Henry P & Darlene P. Huskey W/S Avenal Rd 260 ft. S. of Terrace Rd. D.R. 5.5 Variance to permit a rear yard setback

of 18 ft. in lieu of the required 30 ft.

Proposed Zoning: Acres:

District:

50 X 100

Metropolitan water and sewer exist, therefore, the proposed addition should not present any health hazards.

Very truly yours,

Ian J. Forrest, Director BUREAU OF ENVIRONMENTAL SERVICES

September 10, 1980

Mr. Villiam R. Hammond, Zoning Commissioner Office of Flamming and Zoning County Office Building Tormon, Maryland 21204

Dear Mr. Passendy

IJY/me/JRP

Comments on Item #23, Zoning Advisory Committee secting of July 29, 1980, are as follows:

> Property Owners Locations

> > Relating Fonings

Proposed Zonings

Henry 2 & Darlens P. Huskey W/S Avenal RA 260 ft. S. of Terrace Rd. Variance to permit a rear yard setback

of 18 ft. in lieu of the required 30 ft.

Acres Districts :

50 X 100 Metropolitan mater and sever exist, therefore, the proposed

EUREAU OF ENVIRONGENTAL SERVICES

addition should not present any health hazards.

Cctober 15, 1980

Mr. & Mrs. Henry P. Huskey 7 Avenal Road Baltimore, Maryland 21221

> RE: Petition for Variance W/S of Avenal Road, 260' S of Terrace Road - 15th Election District Henry P. Huskey, et ux - Petitioners NO. 81-59-A (Tten) No. 23)

Dear Mr. & Mrs. Huskey:

I have this date passed my Order in the above referenced matter in accordance with the attached.

Very truly yours.

WILLIAM E. HAMMOND-Zening Commissioner

WEH/srl

Attachments

cc: John W. Hessian, III. Esquire People's Counsel

August 27, 1980

Petition for Variance - W/S Avenal Rd., 260' S of Terrace Road - Case No. 81-59-A

NOTICE OF FEARING

Tuesday, September 23, 1980

PLACE: ROOM 106 COUNTY OFFICE BUILDING, 111 W. CHESAPEAKE AVENUE,

9:45 A.M.

TOWSON, MARYLAND

Mr. & Mrs. Henry P. Huskey

Baltimore, Maryland 21221

7 Avenal Road

DALTIMORE COUNTY
OFFICE OF PLANNING & ZONING
TOWSON, MARYLAND 21204
494-3353

WILLIAM E. HAMMOND ZONING COMMISSIONER

September 12, 1980

Mr. & Mrs. Henry P. Huskey 7 Avenal Road Baltimore, Maryland 21221

RE: Petition for Variance W/S Avenal Rd., 269' S of Terrace Road Case No. 81-59-A

Dear Mr. & Mrs. Huskey:

This is to advise you that \$39.00 is due for advertising and posting of the above-property.

Please make check payable to Baltimore County, Maryland and remit to Sondra Jones, Room 113, County Office Building, Towson, Maryland 21204, before the hearing.

WILLIAM E. HAMMOND Zoning Commissioner

WEH:sj

BAYTIMORE COUNTY, MARYYAND

INTER-OFFICE CORRESPONDENCE

Mr. W. E. Hammond Zoning Commissioner Date\_\_\_\_September 11, 1980 Norman E. Gerber, Acting Director FROM Office of Planning and Zoning

SUBJECT Petition No. 81-59-A Item 23

Petition for Variance for rear yard setback West side of Averal Road, 260 feet South of Terrece Road Petitioner- Henry P. Huskey, et ux

Fiftee h District

HEARING: Tuesday, September 23, 1980 (9:45 A.M.)

There are no comprehensive planning factors requiring comment on this petition.

NEG: JGH: ab

Beginning at a point on the west side of Averal Road approximately 260' south of Terrace Road and known as lot 22 of "Eastern Terrace" and recorded among the land records of Baltimore County in Plat Book 12, Folio 45. Also known as 7 Avenal Road.

PETITION FOR VARIANCE

15th District

Petition for Variance for rear yard setback ZONING:

West side of Avenal Road, 260 feet South of Terrace Road LOCATION:

Tuesday, September 23, 1980 at 9:45 A.M. DATE & TIME:

PUBLIC HEARING: Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing:

Petition for Variance to permit a rear yard setback of 18 feet in lieu of the required 30 feet

The Zoning Regulation to be excepted as follows:

Section 1B02.3.C.1 - rear yard setback

All that parcel of land in the Fifteenth District of Baltimore County

Being the property of Henry P. Huskey, et ux, as shown on plat plan filed with the Zoning Department

Hearing Date: Tuesday, September 23, 1980 at 9:45 A.M.
Public Hearing: Room 106, County Office Building, 111 W. Chesapeake Avenue,
Towson, Maryland

BY ORDER OF WILLIAM E.HAMMOND ZONING COMMISSIONER OF BALTIMORE COUNTY

